

REMARKS/ARGUMENTS

Claims 1-44 are pending, and Claims 45-49 have been withdrawn as a result of a restriction requirement. In the Office Action, the Examiner rejects Claims 1-6 and 10-16 under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 2 has been amended to correct the dependency of Claim 2 such that the rejection is overcome. Moreover, the Examiner rejects Claims 1-44 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,981,985 to Brown et al. Applicant has amended independent Claim 1 in order to further distinguish the cited reference. In light of the amendments and subsequent remarks, Applicant respectfully requests reconsideration and allowance of the claims.

Brown discloses a stent (10) that includes interconnected struts (12). At least one strut includes a bumper (16), which is a protrusion of material extending outward from at least a portion of the body (14) of the strut. Brown discloses that the stent may include any number of bumpers and protrude from the inside (22) or outside (24) surface of a strut. The bumpers are configured to reduce or prevent contact between adjacent struts when the stent is radially constricted, between the inner surface of the stent and a catheter, or between the outer surface of the stent and an outer sheath. Moreover, Brown discloses that the stent may include a substance, such as a coating capable of delivering the substance to a location in the body lumen.

Applicant respectfully disagrees with the rejection of independent Claim 1 over Brown, as Brown only discloses that the struts are coated with a substance rather than any area between the struts. In order to further highlight this distinction, Applicant has amended Claim 1 to recite that the medical appliance includes a coating coupled with the scaffolding such that the exterior surface of the scaffolding is raised with respect to the coating extending **substantially over an area between the struts** of the scaffolding. At most, Brown discloses that the struts are coated with a substance, and that bumpers on the struts are used to prevent contact of the struts when the stent is in a reduced configuration. Brown nowhere teaches or suggests that the substance or the bumpers extend substantially over an area between the struts.

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Therefore, Applicant submits that Brown fails to teach or suggest independent Claim 1 and that the rejection under 35 U.S.C. §102(e) is overcome. Because the dependent claims include each of the recitations of a respective independent claim, Applicants further submit that the dependent claims are also allowable for at least those reasons discussed above with respect to independent Claim 1.

CONCLUSION

In view of the amended claims and remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 50-2764.

Respectfully submitted,



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